

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
CONSTRUTORA NORBERTO ODEBRECHT S.A., :
Plaintiff, :
- v. - :
GENERAL ELECTRIC COMPANY, GENERAL : 07 Civ. 8014 (CM)
ELECTRIC INTERNATIONAL, INC., GE
INFRASTRUCTURE, INC., GE POWER SYSTEMS,
INC., GE ENERGY LLC and GE HYDRO POWER, INC., :
Defendants. :
----- X

**AFFIDAVIT OF VERNON BRODERICK IN SUPPORT OF
DEFENDANTS' MOTION TO DISMISS THE COMPLAINT**

County of New York)
) ss.:
State of New York)

I, VERNON BRODERICK, under penalty of perjury, declare as follows:

1. I am a member of the Bar of the State of New York and a member of the law firm of Weil, Gotshal & Manges LLP, attorneys for General Electric Company, General Electric International, Inc., GE Infrastructure, Inc., GE Power Systems, Inc., GE Energy LLC and GE Hydro Power, Inc. (collectively, "Defendants").

2. I submit this declaration in support of the motion on behalf of all defendants (the "Motion") seeking (1) dismissal of the complaint filed by Plaintiff Construtora Norberto Odebrecht S.A. ("CNO"), and (2) the imposition of sanctions.

3. The purpose of this affidavit is to describe, and insofar as may be necessary, formally make part of the record, the documentary evidence that is referred to

in the Memorandum Of Law In Support Of Defendants' Motion To Dismiss The Plaintiff's Complaint.

4. Submitted herewith as Exhibit A is a true and correct copy of an English translation of the Technical Note, issued September 14, 2007.

5. Submitted herewith as Exhibit B is a true and correct copy of the excerpts from CNO's motion papers handed to the Court during the September 13, 2007 TRO hearing in the above-captioned action.

6. Submitted herewith as Exhibit C is a true and correct copy of the Transcript of the September 13, 2007 TRO hearing in the above-captioned action.

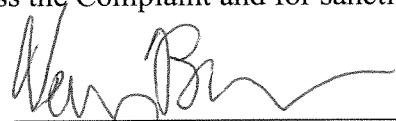
7. Submitted herewith as Exhibit D is a true and correct copy of the English translation of the Order of the SDE, issued September 14, 2007.

8. Submitted herewith as Exhibit E is a true and correct copy of the Email from Howard L. Vickery of Boies, Schiller & Flexner LLP to Richard A. Rothman of Weil, Gotshal & Manges LLP to the Court, dated September 15, 2007.

9. Submitted herewith as Exhibit F is a true and correct copy of the Memorandum of the Court, dated September 17, 2007.

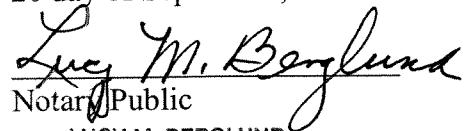
10. I declare under penalty of perjury that the foregoing is true and correct.

WHEREFORE, I respectfully request that this Court find in favor of Defendants on the entirety of their Motion to dismiss the Complaint and for sanctions.



Vernon Broderick

Sworn to before me on this
20 day of September, 2007


Lucy M. Berglund
Notary Public

LUCY M. BERGLUND
NOTARY PUBLIC, State of New York
No. 41-4622028
Qualified in Nassau County
Commission Expires ~~March 30, 2009~~ April 30, 2010